

Panaji, 25th January, 2001 (Magha 5, 1922)

SERIES II No. 43

OFFICIAL GAZETTE



GOVERNMENT OF GOA

Note:- There are Two Extraordinary issues to the Official Gazette, Series II, No. 42 dated 18-01-2001 namely:-

- (1) Extraordinary dated 22-01-2001, from pages 1179 to 1180 regarding Notification from Department of General Administration.
- (2) Extraordinary No. 2 dated 24-01-2001 from pages 1181 to 1182 regarding Order from Department of Urban Development.

GOVERNMENT OF GOA

Department of Animal Husbandry

Directorate of Animal Husbandry &
Veterinary Services

Order

No. 2-4-79-AH-Part/4269

In terms of Article 20 and 21 of the Articles of Association of Goa Meat Complex Limited and in supersession of all the previous Orders in this regard, the Government of Goa is pleased to appoint the following members on the Board of Directors of the Goa Meat Complex Limited with immediate effect.

- | | |
|---|-----------------------|
| 1. Minister, Animal Husbandry and Veterinary Services. | ... Chairman |
| 2. Secretary, Animal Husbandry and Veterinary Services. | ... Director |
| 3. Director, Animal Husbandry and Veterinary Services. | ... Managing Director |
| 4. President, Panaji Municipal Council. | ... Director |
| 5. Shri Luis Gomes. | ... Director |
| 6. Shri Hassan Mulla. | ... Director |

By order and in the name of the Governor of Goa.

Dr. H. K. Malviya, Director (AH) & Ex. Officio /Jt. Secretary.

Panaji, 19th January, 2001.

Department of Education, Art & Culture

Directorate of Education.

Notification

No. 52/18/Adm.III/Fin.Asstt/01/27

Government is pleased to constitute State Working Committee in the State of Goa under the Chairmanship of Hon'ble Minister for Education for the management and administration of the National Foundation for Teachers' Welfare. The names of the Committee members are as detailed below:-

- | | |
|---|--------------------------|
| 1) Hon'ble Minister for Education. | ... Chairman |
| 2) Secretary (Finance) or his representative. | ... Member |
| 3) Secretary (Education). | ... Member |
| 4) Mr. Sadanand Hinde, Principal, Bhumika Higher Sec. School, Poriem, Satari. | ... Member |
| 5) Dr. Louis Vernal, Principal, GVM Training College, Ponda. | ... Member |
| 6) Shri Eknath G. Naik, Principal, Navdurga Higher Sec. School, Madkai, Ponda. | ... Member |
| 7) Mr. Shripad Krishna Patnekar, Headmaster, Hanuman Vidhyalaya, Valpoi, Satari. | ... Member |
| 8) Shri Anil Samant, Teacher Grade I, Purushottam Walawalkar Hr. Sec. School, Mapusa. | ... Member |
| 9) Shri Vasudeo Peshwa, Teacher Grade I, Chandrabhaga Tukoba Naik Hr. Sec. School, Curchorem-Goa. | ... Member |
| 10) Director of Education, Panaji. | ... Secretary Treasurer. |

The Term of this Committee shall be two years from the date of its first meeting.

By order and in the name of the Governor of Goa.

Dr. M. Modassir, Director of Education & Ex-Officio
Jt. Secretary.

Panaji, 8th January, 2001.

Department of Elections

Order

No. 5-2-97/ELEC

The following order No. 76/GOA-LA-99 dated 07-11-2000 issued by the Election Commission of India, New Delhi is hereby published for general information.

D. N. Kamble, Joint Chief Electoral Officer.

Panaji, 8th January, 2001.

ELECTION COMMISSION OF INDIA

Nirvachan Sadan,
Ashoka Road,
New Delhi - 110 001.

Dated: 7th November, 2000.
16th Kartika 1922 (Saka).

Order

No. 76-GOA-LA 99

Whereas, the Election Commission of India is satisfied that Palyekar Keshav Shambhu, 423, Dabholwada, Chapora, Bardez, Goa at the General Election to the Goa Legislative Assembly and held from the 5- Mapusa Assembly constituency has failed to lodge any account of his election expenses as required by the Representation of the People Act, 1951 and the Rules made thereunder.

And whereas, the said candidates have either not furnished any reason or explanation for the said failure even after due notice by the Election Commission or after considering the representation made by them, if any, the Election Commission is satisfied that they have no good reason or justification for the said failure.

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares Palyekar Keshav Shambhu, 423, Dabholwada, Chapora, Bardez, Goa to be disqualified for being chosen as and for being a member of either House of Parliament or the Legislative Assembly or Legislative Council of a State

or Union Territory for a period of three years from the date of this order.

By order,

C. R. BRAHMAM,
Secretary,
Election Commission of India.

Department of Finance

Revenue & Expenditure Division

Notification

No. 5/7/2000-Fin (R&C)(10)

In exercise of the powers conferred by sub-section (1) of section 25 of the Goa Tax on Entry of Goods Act, 2000 (Goa Act 14 of 2000) (hereinafter referred to as the "said Act"), the Government of Goa being of the opinion that it is necessary in public interest so to do, hereby exempts the whole of the tax payable under the said Act in respect of vehicles purchased for the purpose of Polio eradication, by the National Polio Surveillance Project-India.

This notification shall come into force with immediate effect and shall remain in force for a period of one year.

By order and in the name of the Governor of Goa.

Yvonne Cunha, Under Secretary (Fin-Exp.).

Panaji 15th January, 2001.

Notification

No. 5/7/2000-Fin (R&C)(11)

In exercise of the powers conferred by sub-section (1) of section 25 of the Goa Tax on Entry of Goods Act, 2000 (Goa Act 14 of 2000) (hereinafter referred to as the "said Act"), the Government of Goa, being of the opinion that it is necessary in public interest so to do, hereby exempts the whole of the tax payable under the said Act in respect of ambu-lift purchased by Airport Authorities of India, with immediate effect.

By order and in the name of the Governor of Goa.

Yvonne Cunha, Under Secretary (Fin-Exp.).

Panaji, 15th January, 2001.

Notification

No. 3/5/84-Fin (R&C)

In exercise of the powers conferred by Sub-Section (3) of section 5 of the Goa Entertainment Tax Act, 1964 (2 of 1964), the Government of Goa is pleased to exempt the Konkani Film 'Amchem Noxib' from the liability of payment of entertainment tax in whole, through-out the Goa State for a period of four days i. e. from 21-1-2001 to 24-1-2001 from the date of publication of this order, subject to the condition that the rate of payment for admission shall not exceed Rs. 40/-.

By order and in the name of the Governor of Goa.

Yvonne Cunha, Under Secretary (Fin-Exp.).

Panaji, 19th January, 2001.

Department of General Administration

Order

No. 1/36/73-GA&C/Vol. II

Read: Order No. 1/36/73-GA&C (Vol. II) dated 30-6-2000.

The ad-hoc appointment of Shri Sharad G. Marathe, Under Secretary (Drafting) in the Law Department made vide Government Order dated 30-6-2000 referred to above is extended for a further period of six months w.e.f. 30-12-2000 or till the appointment is made on regular basis whichever is earlier.

By order and in the name of the Governor of Goa.

Vasant Bodnekar, Under Secretary (GA).

Panaji, 10th January, 2001.

Department of Labour

Office of the Commissioner of Labour

Order

No. CL/Pub-Awards/2000/5989

The following Awards dated 14-11-2000 in Reference No. IT/35/90 given by the Industrial Tribunal, Panaji-Goa, is hereby published as required under the

provisions of Section 17 of the Industrial Disputes Act, 1947 (Central Act of 14 of 1947).

By order and in the name of the Governor of Goa.

R. S. Mardolker, Commissioner, Labour & Ex-Officio Joint Secretary.

Panaji, 29th November, 2000.

IN THE INDUSTRIAL TRIBUNAL

GOVERNMENT OF GOA

AT PANAJI

(Before Shri Ajit. J. Agni, Hon'ble Presiding Officer)

Ref. No. IT/35/90

Shri Dinesh Namsekar,
Rep. by Goa Trade &
Commercial Workers Union,
Panaji-Goa.

... Workman/Party I

v/s

M/s Goa Carbon Limited,
Sao Jose de Areal,
Salcete-Goa.

... Employer/Party II

Workman/Pary I - Represented by Shri K. V. Nadkarni.

Employer/Party II - Represented by Adv. Shri P. J. Kamat.

Panaji, dated: 14-11-2000.

AWARD

In exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947) the Government of Goa by order dated 19-8-1988 bearing No. 28/34/90-LAB referred the following dispute for adjudication by this Tribunal.

"Whether the action of the management of M/s. Goa Carbon Limited, St. Jose de Areal, in dismissing Shri Dinesh Namsekar, Helper, with effect from 19-8-1988 is legal and justified?

If not, to what relief the workman is entitled?"

2. On receipt of the reference a case was registered under No. IT/35/90 and registered A/D notice was issued to the parties. In pursuance to the said notice the parties put in their appearance. The Workman-Party I (for short, "workman") filed his statement of claim at Exb.2. The facts of the case in brief as pleaded by the workman are that he was employed with the Employer-Party II (for short, "employer") as a helper in the year 1982. That he was issued a suspension order

on 21st January 1988 and thereafter he was issued a charge sheet on 30th January 1988. That he replied to the said suspension order and to the charge sheet and gave proper explanations but the management appointed Company Executive Mr. M. K. Shetty as the Enquiry Officer and conducted enquiry and on receipt of the findings of the enquiry dismissed him from service. That he made several representations to the employer demanding reinstatement and since the employer did not take any decision in the matter, he raised a dispute before the Dy. Labour Commissioner, Margao through the Union by letter dated 14-2-90. The conciliation proceedings held by the Dy. Labour Commissioner ended in failure and hence failure report was submitted to the Government. The workman contented that the findings of the Inquiry Officer are totally bias, perverse and unfounded. The workman contended that since he was exonerated of the 1st charge and other charges and he had a clean service record, no disciplinary action ought to have been taken against him and therefore the act on the part of the employer of dismissing him from service is unwarranted and unjustified. The workman therefore claimed that he is entitled to reinstatement in service with full back wages and continuity in service.

3. The employer filed its written statement at Exb. 3. The employer admitted that the workman was employed as a helper with effect from February 1985 and that his service conditions were governed by the certified standing orders of the employer. The employer stated that on 20-1-88 the workman was found indulging in certain acts of misconduct and hence he was issued a charge sheet dated 30-1-1988, and an enquiry was subsequently held against him. The employer stated that after the enquiry was completed the Inquiry Officer submitted his findings holding the workman guilty of the charges levelled against him, and after considering the said findings and the past records, the workman was dismissed from service vide letter/order dated 19-8-1988. The employer stated that the enquiry held against the workman was fair and proper and the findings given by the Inquiry Officer are not perverse. The employer stated that though the workman was exonerated by the Inquiry Officer of the 1st charge, he was held guilty of the other charges which are of serious nature and since the past service record of the workman was not clean, the employer was justified in terminating his services. The employer denied that the workman is entitled to any relief as claimed by him. The workman thereafter filed rejoinder at Exb.4.

4. On the pleadings of the parties following issues were framed.

1. Does Party No. I prove that the inquiry held against him was not legal and proper?
2. Does he further prove that the order of dismissal passed against him is not legal and justified?

3. Is Party No. I entitled to any relief?

4. What award or order?

5. The issue No. 1 was tried as preliminary issue and the parties led evidence on the said issues. This Tribunal by findings dated 20-8-92 decided the issue No. 1 holding that the domestic enquiry held against the workman is fair and proper. This the issue No. 1 stood disposed off. After the issue No. 1 was disposed off the employer examined the General Manager (Works) on the issue of justification of the quantum of punishment. The workman did not lead any evidence thereafter. At the time when the arguments were being heard on the issue whether the findings of the Inquiry Officer are perverse or not and whether the employer was justified in terminating the services of the workman Shri Nadkarni representing the workman and Adv. Shri Kamat representing the employer agreed that an issue on the perversity of the findings of the Inquiry Officer ought to have been framed. They submitted that the issue in that respect could be framed now as the evidence led in the enquiry is already on record and this Tribunal has only to reappreciate that evidence. Accordingly issue No.1A was framed as under.

Issue No.1A: Whether the charges of misconduct levelled against the Party I are proved to the satisfaction of the Tribunal by acceptable evidence?

6. My findings on the issues are as follows:

Issue No. 1A: In the affirmative.

Issue No. 2: In the affirmative.

Issue No. 3: As per para. 20 below.

Issue No. 4: As per order below.

REASONS

7. Issue No.1A: This issue in fact pertains to the findings of the Inquiry Officer. It is the contention of the workman that the findings of the Inquiry Officer are perverse because they are not supported by the evidence on record. It is now well settled that the Tribunal has now powers to reappreciate the evidence led in the enquiry and come to its own conclusion. In the case of M/s Fire Stone Tyre and Rubber Co. of India Pvt. Ltd., v/s The Management and Others, reported in AIR 1973 SC 1227 the Hon'ble Supreme Court has held that the Tribunal was now clothed with the power to appraise the evidence in the domestic enquiry and satisfy itself as to whether the said evidence relied on by the employer established the misconduct alleged against the workman. In the case of E. Merck (India) Ltd. v/s V.N. Parulekar & Others reported in 1991 (2) Bom. C.R. 201, the Bombay High Court has held that it is the duty of the Tribunal to reappraise the evidence and satisfy itself as to whether misconduct alleged against the workman is proved or not. In view of the

law laid down as stated above, it is to be seen whether the misconduct alleged against the workman is proved in the enquiry or not. Before proceeding to analyse the evidence one thing which is to be borne in mind is that the strict rules of evidence as laid down in the Evidence Act are not applicable to proceedings in a domestic enquiry. In the case of *S. K. Awasthy v/s M. R. Bhope*, Presiding Officer, 1st Labour Court another, reported in 1994 I CLR 254, the Bombay High Court has held that the Indian Evidence Act is not applicable to the evidence recorded in a departmental enquiry and the standards of a criminal trial cannot be applied in a departmental enquiry before the Labour Court or Industrial Court even if the charge is of criminal nature and that the standard of proof which is required to be applied is of preponderance of probabilities. The High Court has further held that the cardinal principle of jurisprudence that ordinarily the accused is not bound to open his mouth and the presumption, would operate throughout is not applicable in domestic enquiry or in a Tribunal. In the case of *J. D. Jain v/s The Management, State Bank of India* and another, reported in 1982 ILLJ 54, and in the case of *State of Haryana v/s Rattan Singh*, reported in 1982 ILLJ 46 the Hon'ble Supreme Court has held that the strict rules of evidence are not applicable in a domestic enquiry and even hearsay evidence is admissible. In the case of *Barasas Electrical Light & Power Co. Ltd., v/s The Labour Court II, Lucknow & ors.* reported in 1972 LIC 939, the Hon'ble Supreme Court has held that the findings recorded in a domestic enquiry cannot be termed as perverse unless such a finding is not supported by any evidence or is entirely opposed to the whole body of evidence led before it. It has further held that in a domestic enquiry the evidence of a solitary witness can be relied upon if the evidence of that witness can be accepted as true. In the case of *Balkrishna Misra v/s Presiding Officer, Central Government Industrial Tribunal, Orissa* and another, reported in 1950-83 SCLJ Vol-5, pg. 59, the Hon'ble Supreme Court has held that in a domestic enquiry once a conclusion is deduced from the evidence it is not permissible to assail that conclusion even though it is possible for some other authority to arrive at a different conclusion on the same evidence. It is therefore clear from the above authorities that domestic enquiry cannot be placed on the same level as of the proceedings under Civil law or Criminal law. Strict rules of evidence are not applicable in a domestic enquiry and in a given case even hearsay evidence is admissible, and even the evidence of a solitary witness can be relied upon. Further, in the case of domestic enquiry the standard of proof required to be applied is preponderance of probabilities. It is with this background it is to be seen whether the misconduct alleged against the workman is proved or not.

8. The records of the enquiry proceedings have been produced at Exb. 10. The charge sheet dated 30-1-1988 issued to the workman has been produced in the enquiry at Exb. M-4. As per the said charge sheet the allegations against the workman are that on 20-1-1988

at about 18.30 hrs. his supervisor Mr. Dilip Sardessai found him and one Mr. Milagres Vales, helper, sitting idle and he gave him instructions to shift magnetic material from the entrance of the bulk godown to outside the RPC yard, and on hearing the instructions he lost temper and after picking up a wooden plank which was lying there struck on the head of Mr. Dilip Sardessai resulting into bleeding head injury; that after first aid was given to Mr. Sardessai by Mr. Anthony D'Costa the Jr. Electrician, he was immediately taken to the Hospicio Hospital, Margao by Mr. Valente Fernandes, Senior Clerk as the bleeding had not stopped; that four stitches were given by the doctor at Hospicio Hospital, Margao and the injury could have resulted in damage to the brain or could have been fatal; that Mr. Dilip Sardessai had also informed that the workman had earlier threatened to kill him for reasons best known to him. That according to the employer the above acts on the part of the workman constituted following misconduct as per the certified standing orders namely (1) wilful insubordination or disobedience whether or not in combination with another or others or any lawful and reasonable order of superior; (2) Riotous, disorderly or indecent order behaviour on the premises of the establishment; (3) Commission of any act subversive of discipline or good behaviour of the establishment; (4) Threatening or intimidating or using any form of violence against any worker.

9. In support of the charges the employer examined two witnesses and produced several documents. The witnesses examined are Mr. Dilip Sardessai (MW-1) and Mr. Maruti Gaekwad, the Security Officer. Mr. Dilip Sardessai stated in his deposition that he is working with the employer as a Jr. Kiln Operator since 1980 and that he knows the workman who is working as helper. He stated that all the helpers including the workman are working under him. He stated on 20-1-1988 he alongwith the workman and another helper by name Milagres Vales were working in 'B' shift which starts from 14.00 hrs. He stated that his senior Mr. R. Rangarajan had informed him that the helpers should stop the work in the RPC reception section and he should ask them to work opposite the workshop to remove the magnetic material. He stated that at about 16.00 hrs. the workman had told him that he would go on half day leave on that day and since there was only one hour remaining for him, he told him and to Mr. Milagres to clean the first work which was assigned to them. He stated that at about 6.15 p.m. he could not see the workman and hence he searched for him and he found him coming from RPC reception section, and that when he asked him whether he was going on half day leave, he questioned him as to who was he to ask him about it. He stated that since the workman had not gone on half day leave he told him to do the duty of cleaning magnetic material, and then the workman started arguing. He stated that on the earlier day when he had asked the workman to bring a bucket from the sample room he had threatened him with dire consequences stating that it is not difficult to kill him.

He stated that the workman threw a stone at him and then picked up a wooden plank and after striking it on his head, ran away. He stated that Mr. A. Costa, the Jr. Electrician put bandage on him and informed Sr. Clerk Mr. Valente Fernandes, who took him to Dr. Kamat but he refused to treat him because it was a criminal case and that thereafter he was taken to the residence of Administrative Officer to whom he narrated the entire incident. He stated that then he went to the Police Station and made a complaint and the constable took him to Hospicio Hospital, Margao where he was treated and four stitches were put on his wound. He produced the photocopy of the complaint made by him to the police, the medical certificate issued by Dr. Dalvi from Hospicio Hospital, and the report made by him to the Works Manager. In his cross examination he stated that Mr. R. Rangarajan is the shift officer and that he was given order by him at about 3 pm. He denied that he was in the habit of drinking liquor by going out while at work. He stated that he abuses workers with bad words while he is drunk as well as when he is not drunk. He denied the suggestion that he beats and abuses after drinking in the factory as well as outside. He stated that he did not complain about the threat given to him by the workman on the earlier day because he was saying such things often and he thought that it was a joke. He denied the suggestion that he was under the influence of liquor. When he scolded workman and gave him bad words or that he slapped him or that he ran after him and told that he will kill him. He stated that the private doctor himself told him that he will not treat him because it was a criminal case and that the said doctor came to know that he was wounded because he saw him bleeding. He stated that he told the doctor that one worker had hit him that is why he was bleeding. He stated that Mr. A. D' Costa came to know that he was beaten because he had seen the workman running. He stated that he gave the complaint to the police of his own and that after he was treated in the Hospital he came back to the factory and since he was getting headache he punched the card and went home at about 21.14 hrs. He stated that Mr. Valente Fernandes took him to the hospital and brought him back to the factory.

10. From the above evidence of Mr. Dilip Sardessai it can be seen that the workman has not been able to extract anything which is favourable to him. Infact the workman has not denied that he was working under Mr. Dilip Sardessai and that he hit the wooden plank on his head. The workman also did not deny that bleeding injury was caused to the head of Mr. Dilip Sardessai as a result of the said hitting or that four stitches were not put to his wound or that he was not taken to Hospicio Hospital, Margao for treatment. He has also disputed the medical certificate issued to Mr. Sardessai by Dr. Dalvi of Hospicio Hospital. As per the charge sheet and as per the evidence of Mr. Dilip Sardessai the incident occurred on 20-1-1998. The medical certificate of Dr. Dalvi is also dated 20-1-1998 and it states that Mr. Dilip Sardessai had contused

lacerated wound which required 4 stitches. This medical certificate supports the case of the employer that workman assaulted Mr. Dilip Sardessai on 20-1-88 with wooden plank thereby causing bleeding injury to his head which required putting 4 stitches to the wound. The complaint to the police and which has been produced by Mr. Dilip Sardessai supports the case of the employer. The said complaint has been made on the same day immediately after the incident. In the complaint Mr. Sardessai has stated that he was hit on the head by the workman with a wooden plank. The said complaint mentions that he was referred to Hospicio Hospital, Margao for treatment. The report made by Mr. Sardessai to the Work Manager has been produced at Exb. M-6. This report is dated 21-1-88 which means that it is made on the next day of the incident. This report corroborates the statement made by Mr. Sardessai in his deposition. This report is also not challenged by the workman. From the cross examination of Mr. Dilip Sardessai it appears that the only defence which the workman has taken is that he assaulted Mr. Sardessai only because he gave bad words to him. Mr. Dilip Sardessai has admitted in his deposition that he gave bad word to the workman but he denied that he was under influence of liquor.

11. The employer examined another witness by name Mr. Maruti Gaekwad (MW-2). He stated that he is working as the Security Officer and that he knows the workman. He stated that when he reported for duty at 8.30 a.m. on 21-1-88 the Security Jamadar Mr. Juman Singh reported to him about the incident which had taken place on the previous day and hence he submitted his report dated 21-1-88. He produced the said report at Exb. M-7. In his cross examination he stated that he made the report as per what was stated to him by the Jamadar; and that he does not know whether the facts mentioned in the report are true or not. There is no suggestion to the witness that no statement whatsoever was made by Security Jamadar to him. On the contrary the witness has affirmed in his cross that whatever statement that was made to him by Security Jamadar he mentioned it in the report. In the report it is mentioned that on 20-1-88 at about 6.30 p.m. Mr. Dilip Sardessai asked the workman to do some work and the workman saying who are you to ask me to do work hit him on the head with a wooden plank which caused bleeding injury to his head and that thereafter he was taken to Government Hospital at Margao. From the above evidence produced by the employer the incident of hitting Mr. Dilip Sardessai on the head with a wooden plank and causing bleeding injury to him which required putting 4 stitches is proved.

12. The workman has examined himself. In his deposition he admitted that on 20-1-88 he was working in 'B' shift, that is in 2nd shift. He admitted that he had asked Mr. Rangarajan to give half day leave to him on that day. He admitted that he learned that Mr. Dilip Sardessai was searching for him and that he asked him why he had not gone on half day leave. He stated to

him that he had gone to pass urine and not for drinking liquor and that at this he got annoyed and slapped him on the right side of his face due to which he fell down. He stated that then he saw a wooden piece of about 9"x1/2" and after picking up hit it at Mr. Sardessai but because both were very near to each other the said wooden piece did not touch any part of his body and that thereafter Mr. Sardessai came running after him and threw a stone at him which did not hit him. He stated that his relations with Mr. Sardessai were not good and that Mr. Sardessai was always coming drunk and used to harass and abuse him. In his cross examination, he admitted that Mr. Dilip Sardessai was his superior and that he had to work as per his instructions. He admitted that he had given the explanation dated 21-1-1988 given by him to the charge sheet. He stated that the said explanation was written in English by Mr. A. G. Rajadhyax, the clerk from Adm. Office, at his instance, and that the said person had explained to him in Konkani what was written; and that he is relying on the said explanation produced at Exb. M-9. He admitted that the contents of the written explanation are correct. He admitted that whenever a superior misbehaved it was his duty to report to the higher authorities but he stated that he did not complain against Mr. Sardessai because both of them used to become friends after he harassed and abused by him. He stated that he never got annoyed with Mr. Dilip Sardessai whenever he abused him. He stated that through out the shift Mr. Milagres Vales was with him. He denied the suggestion that he hit Mr. Sardessai on the head or that he was bleeding after he hit him on his head. He stated that Mr. Milagres Vales was present at the time when the incident took place but he does not know if he had seen the incident. The above evidence of the workman shows that the workman has admitted that he was working under Mr. Dilip Sardessai as per his instructions on 20-1-88. That Mr. Sardessai was searching for him. That he hit at Mr. Sardessai with a wooden plank though it is his case that it did not hit him. He has also admitted that it was his duty to work as per his instructions, and that in case the Superior misbehaved with him it was his duty to report to the higher authorities. He has also admitted that he gave the written explanation to the charge sheet the contents of which he knew.

13. The workman has examined Mr. Milagres Vales in support of his case. He stated in evidence that on 21-1-88 he was working with the workman in the 2nd shift. He stated that at about 6.15 p.m. Mr. Dilip Sardessai was searching for the workman and that after finding him, both came to the workshop and that time he told him that Mr. Sardessai was searching for him. He stated that at that time Mr. Sardessai also came there and asked him where he had gone to which he replied that he had gone to eat "Poram" and not to drink liquor. He stated that thereafter Mr. Sardessai said, "Fodrechea" and slapped the workman upon which the workman caught hold of a piece of wood and hit Mr. Sardessai with the same, and that thereafter Mr. Sardessai ran after the workman stating that he

will kill him. He stated that Mr. Anthony Fernandes came running and asked him as to what had happened and that he told him that Mr. Sardessai had slapped the workman and he was running after him and that at that time he saw Mr. Sardessai running after the workman and he was bleeding. He stated that thereafter he and Mr. Anthony cleaned the blood of Mr. Sardessai and noticed that the wound required about four to five stitches. In his cross examination he admitted that he never made any complaint in writing or otherwise against Mr. Sardessai about his giving abuses or drinking. He stated that he had seen with his eyes Mr. Sardessai slapping the workman with his right hand. He denied the suggestion put to him that Mr. Sardessai did not abuse or slap the workman. He stated that he had told Mr. Anthony that Mr. Sardessai had slapped the workman and that the workman had hit wooden plank on Mr. Sardessai.

14. From the evidence which is discussed above the charge that the workman hit Mr. Dilip Sardessai with a wooden plank on his head is established. It is also admitted by the workman that Mr. Sardessai was superior to him and he was working as per his instructions. Though the workman stated in his evidence that the wooden plank hit by him at Mr. Sardessai did not touch any part of his body, in the explanation dated 21-1-88 submitted by him to the Works Manager he has admitted that after Mr. Sardessai had slapped him, he hammered wooden plank on his head. He has admitted in his cross that he knew the contents of the said explanation and that the said contents were correct. The witness Mr. Milagres Vales examined by the workman has also stated in his evidence that the workman hit Mr. Sardessai on head with a wooden plank and that when Mr. Sardessai was running after the workman he saw Mr. Sardessai was bleeding and that he and Mr. Anthony cleaned the wound and they noticed that the wound required four to five stitches. The workman's contention as well as that Mr. Dilip Sardessai is that Mr. Milagres was present at the time of the incident. The report dated 21-1-88 Exb. M-7 made by the Security Jamadar to the Works Manager also corroborates the case of the management. The medical certificate produced by Mr. Sardessai also support the contentions of the management that bleeding injury was caused to the head of Mr. Sardessai and four stitches were required to be put to the wound. The above evidence therefore clearly establishes the fact that the workman hit his superior Mr. Dilip Sardessai with a wooden plank on his head thereby causing bleeding injury which required putting four stitches to the wound. This charge therefore stands proved. However, in my view the charge that the workman disobeyed lawful and reasonable order of his superior is not proved. According to Mr. Dilip Sardessai he had told the workman to clear the magnetic material and at this the workman started arguing with him and thereafter he hit a wooden plank on his head and ran away. According to Mr. Sardessai the above work was told by him to the workman in the presence of Mr. Milagres

Vales. Neither the workman nor Mr. Vales in their evidence have stated that Mr. Sardessai asked the workman to clear the magnetic material and that thereafter the workman started arguing with him or assaulted him with wooden plank. No suggestion was put to them on behalf of the management either to the workman or to Mr. Milagres Vales that the workman was asked by Mr. Sardessai to clear the magnetic material and that he refused to do so. Therefore there is no evidence that the workman disobeyed reasonable and lawful order of his superior and therefore the Inquiry Officer has rightly held this charge against the workman is not proved. The other charge against the workman that on earlier occasions he had threatened to kill Mr. Dilip Sardessai is also not proved because no evidence has been led by the management in support of this charge. Except for the bare statement of Mr. Sardessai that he was threatened of dire consequences by the workman on the previous day of the incident, there is no supporting evidence on record. In his cross examination he has admitted that he did not give any complaint about the threat given to him. I, therefore hold that this charge against the workman is not proved.

15. In the light of what is discussed above, I hold that only the charge of hitting Mr. Dilip Sardessai, Jr. Kiln Operator, on the head with a wooden plank thereby causing bleeding injury to him requiring four stitches is proved against the workman, and the Inquiry Officer is right in holding the workman guilty of the said charges. In the charge sheet dated 30-1-88 the workman has been charge for following misconducts under the Certified Standing Orders.

- (1) Wilful in subordination or disobedience whether or not in combination with another or others, or any lawful and reasonable order of a superior.
- (2) Riotous, disorderly or indecent behaviour on the premises of the establishment.
- (3) Commission of any act subversive of discipline or good behaviour of the establishment.
- (4) Threatening or intimidating or using any form of violence against any worker.

It has been held by me that the charge of hitting Mr. Dilip Sardessai, the Jr. Kiln Operator on head with a wooden plank and causing him bleeding injury is proved against the workman. The above act has been committed by the workman within the premises of the establishment of the employer. In my view the above act on the part of the workman constitutes following misconduct namely (a) disorderly or indecent behaviour on the premises of the establishment. (b) Commission of any act subversive of discipline or good behaviour of the establishment (c) Using violence against another worker. I therefore hold that the charge of above misconduct is proved against the workman and hence I answer the issue No. 1A in the affirmative.

16. Issue No. 2: the employer has dismissed the workman from service because the Inquiry Officer held the workman guilty of the charges of misconduct. It has been held by me that the employer has succeeded in proving the charge against the workman that he hit the Jr. Kiln Operator Mr. Dilip Sardessai on head with a wooden plank thereby causing bleeding injury to him. It has been held that the above act on the part of the workman constitute misconducts. The workman has contended that termination of his services by the employer is illegal and unjustified. Shri Nadkarni representing the workman submitted that punishment of dismissal from service awarded to the workman is disproportionate to the charge which is said to be proved against him. He submitted that while awarding punishment the employer has not considered the circumstances under which the incident took place. He submitted that Mr. Dilip Sardessai himself was responsible for the incident as can be seen from the evidence on record in the enquiry. He submitted that the evidence shows that Mr. Dilip Sardessai was not behaving properly towards his subordinates, and that he was coming at the workplace drunk and was abusing the workers. He submitted that there is no evidence from the employer to show that the past conduct or record of the employer was bad. In support of his contention that the Tribunal has powers to intervene in the matter of awarding punishment and the punishment should not be disproportionate to the proved misconduct, Shri Nadkarni relied upon to Judgement of the Supreme Court in the case of the workmen of M/s Firestone Tyre and Rubber Co. of India (Pvt.) Ltd., v/s The Management reported in 1973 ILLJ 278 and in the case of workmen, Bharat Fritz (P) Ltd., v/s Bharat Fritz Wenner (P) Ltd., and another reported in 1980-90 SCLJ 650; the judgement of the Bombay High Court in the case of (1) Mohan Sagun Naik & ors v/s National Textile Corporation (South Maharashtra) Ltd. & ors. reported in 1994 II CLR 443 (2) Ganesh Rajan Servai v/s M/s Bennet Coleman and Co. Ltd., & another reported in 1989 LIC 534 (3) General Manager, BEST Undertaking v/s Best Kamgar Sena & anr., reported in 1994 CLR II 378 (4) Raghunath Vishnu Patil v/s R.N. Gavande and others reported in 1993 II CLR 50; The Judgment of the Andhra Pradesh High Court in the case of Depot Manager, APSRTC Bus Depot, Khammam v/s Industrial Tribunal cum Labour Court, Warangal & ors. 1994 II CLR 1133 and in the case of the District Manager, APSRTC, Jaggaihpeta v/s Labour Court, Guntur and another reported in 1978 LIC 359 and the Judgement of the Alahabad High Court in the case of U.P. State Road Corporation v/s State of U.P. and others reported in 1978 II LLJ 340.

Adv. Shri P.J.Kamat, the learned counsel for the employer submitted on the other hand that the misconduct which has been committed by the workman is of serious nature. He submitted that the workman had assaulted his superior causing bleeding injury on his head which required stitches to be put and therefore to maintain discipline in the factory the employer was justified in imposing punishment of

dismissal on the workman. In support of his contention Adv. Shri Kamat relied upon the judgment of the Supreme Court in the case of (1) Basu Deba Das v/s M.R. Bhope reported in 1993 II LIC 1677; (2) Inspecting Assistant Commissioner, Bombay & Others v/s Sharat Narayan Parab reported in 1998 I CLR 186 and (3) New Sherrock Mills v/s Mahesh Bhai T. Rao, reported in 1997 I CLR 13.

17. Shri Nadkarni representing the workman has relied upon the judgement of the Supreme Court in the case of Bharat Fritz Wenner (P) Ltd., (supra) and The Workmen of M/s Firestone Tyre and Rubber Co. of India (Pvt) Ltd., (supra); that of the Allahabad High Court in the case U.P. State Road Corporation (supra) and that of the Andhra Pradesh High Court in the case of the District Manager, A.P.S.R.T.C. Jaggaipet (supra) in support of his contention that the Tribunal has powers to interfere with the punishment awarded by the employer. Adv. Shri Kamat representing the employer has not disputed this contention of the workmen. The gist of the law laid down in the above referred cases is that section 11A of the Industrial Disputes Act, 1947 has conferred on the Industrial Tribunal the power to interfere with the punishment awarded by the employer and instead award lesser punishment in the facts and circumstances of the case. The said section empowers the Tribunal to set aside the order of dismissal or discharge and direct reinstatement or award lesser punishment in lieu of dismissal or discharge even in cases where domestic enquiry is held to be valid and proper. In the case of Rama Kant Misra v/s State of Uttar Pradesh & others, reported in 1983 SCC (L&S) 26, the Supreme Court has held that the Labour Court or the Tribunal has jurisdiction and power under Sec. 11A of the Industrial Disputes Act to substitute its measure of punishment in place of that awarded by the employer once it is satisfied that the order of discharge or dismissal was not justified in the facts and circumstances of the case. It is therefore now well settled that under Sec. 11-A of the Industrial Disputes Act, 1947 the Labour Court or the Tribunal has the jurisdiction and powers to find out for itself whether the punishment awarded by the employer is justified in the facts and circumstances of the case and if not award lesser punishment. In the present case the contention of the workman is that the punishment of dismissal from service awarded to him is disproportionate to the misconduct for which he was charged and therefore, this Tribunal should interfere with the said punishment and award him lesser punishment. This Tribunal therefore has to assess the evidence on record and find out whether the punishment of dismissal is disproportionate to offence with which the workman was charged.

18. As mentioned earlier, it has been held by me that the charge against the workman that he hit Mr. Dilip Sardesai, the Jr. Kiln Operator, with wooden plank on his head thereby causing bleeding injury requiring four stitches is proved. Adv. Shri Kamat representing

the employer has submitted that the punishment of dismissal from service is justified so as to maintain discipline in the factory. His contention is that the act committed by the workman is of serious nature and he had assaulted his superior. He has relied upon the judgements of the Supreme Court in the case of Inspecting Assistant Commissioner Bombay (supra) and New Shorrock Mills (supra). In both these cases the Supreme Court held that the Labour Court was not justified in interfering with the order of punishment awarded by the employer, in the facts and circumstances of those cases. In the case of New Shorrock Mills (supra) the employee had entered the office of the Deputy Manager and abused and threatened that the mill officers will not be safe outside the mill and stated that he did not care if he had to go to jail for murder of four to five officers. The Supreme Court held that the Labour Court completely overlooked the fact that even prior to the incident in question the employee had misconducted himself on several occasions and had been punished, and also that there were atleast three other instances where the employee had misconducted himself and had failed to improve his conduct despite his assurances from time to time. In the above circumstances that the Supreme Court held that the Tribunal ought not to have interfered with the punishment awarded by the employer. In the case of Shorrock Mills the employee forcibly entered the cabin of Income Tax Officer, Shri Powar leading the crowd of 20 to 25 employees. The said employee assaulted Mr. Powar, dragged him out from his room by putting knife on his chest and physically removed him from the office building and told him never to return. The Supreme Court held that looking at the misconduct committed by the employee the punishment of dismissal from the service cannot be considered to be unreasonable, because the misconduct committed by the employee was of very serious nature. The authorities on which Shri Nadkarni has relied upon namely National Textile Corporation (supra); Bharat Fritz Wenner (P) Ltd., (supra); Depot Manager, APSRTC Bus Depot, Khammam (supra); M/s Bennet Coleman and Co. Ltd., (supra); BEST Kamgar Sena (supra); Raghunath Vishnu Patil (supra) are the cases where the punishment awarded by the employer to the employee was set aside and lesser punishment was awarded because the punishment awarded by the employer was found to be disproportionate to the proved misconduct. The Bombay High Court in the case of Basu Deba Das (supra) has held that whether a particular misconduct is severe or otherwise would depend upon the facts of each particular case and a code of conduct which is expected of a workman varies from place to place. It therefore follows from the case law discussed above that whether the punishment awarded is disproportionate or not depends upon the facts and circumstances in each case. It will also depend upon the gravity of the misconduct, the circumstances under the previous record of the concerned employee if any.

19. In the present case, Mr. Dilip Sardessai in his statement recorded in the enquiry has himself admitted that he had approached the workman and abused him with bad words and he has further stated that the work has to be extracted by giving such bad words. The workman in his statement recorded in the enquiry has stated that when he told Mr. Dilip Sardessai that he had gone to the toilet to pass urine and not to drink liquor he got annoyed and slapped him on the right hand side of his face as a result of which he fell down. This fact has been corroborated by Mr. Milagres Vales who has been examined by the workman as his witness. According to Mr. Dilip Sardessai, Mr. Milagres Vales and he were searching for the workman and Mr. Vales was present when he questioned the workman as to where he had gone and also at the time when the workman hit him on the head with wooden plank. Therefore the presence of Mr. Milagres Vales at the place of the incident is an admitted fact. There is no reason to disbelieve the statement of Mr. Vales. In fact the management ought to have examined Mr. Milagres Vales as their witness but they did not do so. The above evidence therefore shows that the workman alone was not responsible for the incident which took place. It is evident that hitting Mr. Sardessai with a wooden plank on head was the result of his giving bad words to the workman and also slapping him on the face. The incident of assault has taken place on the spur of the moment. The workman in his explanation dated 21-1-88 Exb. M-9 has stated that when Mr. Sardessai slapped him, he was excited, and that in that excitement he hit him with stick. Through it is mentioned in the charge sheet that the injury caused to Mr. Sardessai would have resulted into damaging his brain or proved fatal, there is no evidence to this effect. The medical certificate which has been produced only states that the wound required 4 stitches and nothing else. There is also no evidence on record to show that any action was taken by the employer against Mr. Sardessai for abusing and slapping the workman. This act on the part of the employer is discriminatory. The workman in his explanation dated 21.1.88 Exb.M-9 which was submitted by him to the Works Manager immediately on the next day of the incident had clearly stated that Mr. Dilip Sardessai had slapped him. The employer has examined its General Manager (Works) before this Tribunal. He has stated that before issuing the termination letter Exb.13 he had gone through the findings of the Inquiry Officer and that the reasons for termination are given in the said letter. He has further stated that the services of the workman were terminated for maintaining discipline in the factory. The termination letter which is produced at Exb.13 also states that because of the gravity of the charge and in the interest of maintaining discipline in the factory the services of the workman are terminated. He has not stated anything on the past conduct of the workman. There is nothing on record to show that the past conduct of the workman was not good. In the absence of any contrary evidence and much so when the

employer had the opportunity to lead evidence on the past conduct of the workman, the only reasonable inference which can be drawn is that the past conduct of the workman was unblemished and good. It is true that a person is required to maintain discipline at the place of work and indiscipline cannot be tolerated. However considering all the above aspects and more particularly the circumstances under which the workman committed the misconduct, I am of the view that punishment of dismissal awarded to the workman is disproportionate to the misconduct involved and it is too severe. I do not find any justification for awarding the extreme penalty of dismissing the workman from service. Ends of justice would have met if punishment lesser than dismissal from service was awarded to the workman. I, therefore hold that the action of the employer of dismissing the workman from service is not legal and justified in the facts and circumstances of the case. Hence, I answer the issue no.2 in the affirmative.

20. Issue No.3: This issue pertains to the relief to be granted to the workman. It has been held by me that the action of the employer of dismissing the workman from service is not legal and justified. Considering the misconduct involved in the present case, the circumstances under which it was committed and also considering all the aspects of the case discussed by me earlier including the past conduct, I am of the view that it would be just and proper to reinstate the workman in service but without back wages. By way of punishment the workman shall not be entitled to any back wages from the date of his dismissal from service till the date of the Award. I, therefore hold that the workman is entitled to reinstatement in service but without back wages from the date of his dismissal from service till the date of the Award, and he shall be entitled to the full wages and other benefits if any from the date of the Award.

In the circumstances I pass the following order.

ORDER

It is hereby held that the action of the Management of M/s. Goa Carbon Limited, St. Jose de Areal in dismissing the workman Shri Dinesh Namshekar, Helper, with effect from 19.8.1988 is not legal and justified. The Workman Shri Dinesh Namshekar is ordered to be reinstated in service without back wages from the date of his dismissal from service till the date of the Award and he shall be entitled to full wages and other benefits if any from the date of the Award.

No order as to costs. Inform the Government accordingly.

Sd/-
AJIT J. AGNI,
Presiding Officer,
Industrial Tribunal.

Notification

No. 25/4/88-ILD/132

In exercise of the powers conferred by section 7 of the Minimum Wages Act, 1948 (Central Act 11 of 1948) (hereinafter called the said Act) read with Rule 3 of the Goa, Minimum Wages (Advisory Board) (Second Amendment) Rules, 2000 and in supersession of the Government Notification No. 25/4/88-ILD dated 1-2-2000, the Government of Goa, hereby appoints an Advisory Board for the purposes of the said Act, as follows:-

- | | |
|--|----------------------|
| 1. Minister for Labour. | ... Chairman |
| 2. Secretary to Government of Goa, Labour Department. | ... Vice Chairman |
| 3. Shri Ramakant Angle, Member of Parliament. | ... Member |
| 4. Adv. Vishwas Satarkar, M. L. A. | ... Member |
| 5. Shri Sudin alias Ramkrishna Davlikar, M. L. A. | ... Member |
| 6. The Director, Planning, Statistics and Evaluation. | ... Member |
| 7. Joint Secretary (Finance) or his Nominee. | ... Member |
| 8. Director of Municipal Administration. | ... Member |
| 9. Chief Engineer, Public Works Department. | ... Member |
| 10. Commissioner, Labour. | ... Member Secretary |
| 11. Shri Christopher Fonseca, AITUC. | ... Member |
| 12. Shri P. Gaonkar, B. M. S. | ... Member |
| 13. Dr. Mrs. Luiza Pereira, Centre of Indian Trade Union. | ... Member |
| 14. Shri Shivram Ajgaonkar, Goa Municipal Workers' Union. | ... Member |
| 15. Shri S. N. N. Karmali, President, INTUC, Vasco. | ... Member |
| 16. Shri Prabhakar Ghodge, Goa Shops and Industrial Workers' Union. | ... Member |
| 17. Shri Ravindra Gaundalkar, Goa Dock Labour Union. | ... Member |
| 18. Shri Govind Bhonsle, United Bargemen's Association. | ... Member |
| 19. Shri Laxman Malvankar, President, Five Star Hotel Employees' Union. | ... Member |
| 20. The President, Kadamba Transport Corporation Drivers and Allied Employees Association, Panaji. | ... Member |
| 21. The Chairman, National Institute of Personnel Management, Panaji. | ... Member |
| 22. Secretary, Goa Chamber of Commerce and Industry. | ... Member |

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| 23. Shri Suresh Zantye rep. of Cashew Processing Industry. | ... Member |
| 24. Shri Paresh Joshi, rep. of Automobile Industry. | ... Member |
| 25. Managing Director, Kadamba Transport Corporation Limited, Panaji Goa. | ... Member |
| 26. The President, Goa Pharmaceuticals Manufacturers' Association. | ... Member |
| 27. Chief Electrical Engineer, Panaji. | ... Member |
| 28. Chairman, Confederation of Indian Industry (Goa Council). | ... Member |
| 29. Chief Engineer, Irrigation Department. | ... Member |
| 30. President, Small Scale Industries Association. | ... Member |

This notification shall come into force with effect from the date of its publication in the Official Gazette.

By order and in the name of the Governor of Goa.

R. S. Mardolker, Commissioner, Labour and Ex-Officio Joint Secretary.

Panaji, 5th January, 2001.

Department of Law & Judiciary

Law (Establishment) Division

Order

No. 1-2 (11) 94-LD

Read: Government Order No. 1-2(11)/94-LD dated 21-12-94.

Shri Mario D'Silva appointed as Registrar in the Administrative Tribunal on the recommendations of the Goa Public Services Commission conveyed vide their letter No. COM/II/11/42(2)/94 dated 31-10-94 has satisfactorily completed his probation period of two years from 21-12-94 to 20-12-96.

By order and in the name of the Governor of Goa.

J. V. Pednekar, Under Secretary (Law).

Panaji, 12th January, 2001.

NOTIFICATION BY THE HIGH COURT OF JUDICATURE APPELLATE SIDE, BOMBAY.

No. A. 1202/G/2000.

The Honourable the Chief Justice and Judges are pleased to grant Earned Leave for 5 days from

18-12-2000 to 22-12-2000 with permission to prefix 17th December 2000 being Sunday and to suffix 23rd, 24th and 25th December, 2000 being 4th Saturday, Sunday and Holiday, respectively to Shri N. A. Britto, District and Sessions Judge, Margao.

On return from leave Shri Britto will be reposted as District and Sessions Judge, Margao.

Shri U. V. Bakre, Additional District and Sessions Judge, Margao, is kept incharge of the Court of District and Sessions Judge, Margao, in addition to his own duties during the leave period of Shri N. A. Britto, from 18-12-2000 to 22-12-2000.

High Court, Appellate Side,
Bombay, 2nd December, 2000.

R. C. CHAVAN
Additional Registrar
(ADM).

List of Holidays & Vacations for the Year 2001 for the District & Subordinate Courts (South Goa).

Sr. No.	Holidays	Date	Days of the week
1.	New year Day	01-01-2001	Monday
2.	Republic Day	26-01-2001	Friday
3.	Shivaji Jayanti	19-02-2001	Monday
4.	Mahashivratri	21-02-2001	Wednesday
5.	Bakri-Id	06-03-2001	Tuesday
6.	Holi	09-03-2001	Friday
7.	Gudi Padwa	26-03-2001	Monday
8.	Ram Navami	02-04-2001	Monday
9.	Muharrum	05-04-2001	Thursday
10.	Good Friday	13-04-2001	Friday
11.	Maharashtra Day/ /May Day	01-05-2001	Tuesday
12.	Budha Poornima	07-05-2001	Monday
13.	Goa Statehood Day	30-05-2001	Wednesday
14.	Id-e-Milad	05-06-2001	Tuesday
15.	Gokul Ashtami	13-08-2001	Monday
16.	Independence Day	15-08-2001	Wednesday
17.	Ganesh Chaturthi	22-08-2001	Wednesday
18.	Ganesh Chaturthi (2nd day)	23-08-2001	Thursday
19.	Mahatma Gandhi Jayanti	02-10-2001	Tuesday
20.	Dussehra	26-10-2001	Friday
21.	Diwali	14-11-2001	Wednesday
22.	Balipratipada/Bahu Bij	16-11-2001	Friday
23.	Feast of St. Francis Xavier	03-12-2001	Monday
24.	Ramzan Idd	17-12-2001	Monday
25.	Goa Liberation Day	19-12-2001	Wednesday
26.	Christmas	25-12-2001	Tuesday

No days have been proposed as Holidays on Account of:

1. Dr. Ambedkar Jayanti 14-04-2001 2nd Saturday
2. Diwali (Balipratipada/Bahu Bij) have fallen on the same day.

Summer Vacation

From 6th May, 2001 to 9th June, 2001.

(Both days inclusive)

Winter Vacation

From 23rd December, 2001 to 29th December, 2001.

(Both days inclusive)

N. A. Britto, District & Sessions Judge, South Goa Margao.

Margao, 17th January, 2001.

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Department of Personnel

No. 15/1/99-PER/Part I

Order

The following transfers/postings of the Officers in the cadre of Mamlatdar/Joint Mamlatdar/Assistant Director of Civil Supplies are ordered with immediate effect, in public interest.

Sr. No.	Name of the Officer	Present Posting	Posted on transfer
1.	Shri G. A. Kudalkar.	Jt. Mamlatdar, Quepem.	Jt. Mamlatdar, Salcete.
2.	Shri Johnson B. Fernandes.	Jt. Mamlatdar, Sanguem.	Jt. Mamlatdar, Salcete.

By order and in the name of the Governor of Goa.

D. M. Borkar, Under Secretary (Personnel).

Panaji, 8th January, 2001.

Order

No. 6/9/91-PER

Governor of Goa is pleased to order the transfer of Shri C. J. Kamble, M.D., Goa Coop. Marketing & Supply Federation Ltd., Panaji and post him as Director (Admn.), Directorate of Education, Panaji with immediate effect, thereby relieving Shri Charles D'Souza.

Shri Kamble shall continue to hold the charge of the post of M. D., Goa Coop. Marketing & Supply Federation Ltd., Panaji in addition to his own duties and until further orders.

By order and in the name of the Governor of Goa.

D. M. Borkar, Under Secretary (Personnel).

Panaji, 11th January, 2001.

Order

No. 7/2/99-PER (Part-I)

On placement of his services at the disposal of the Government of Goa, by the Government of India, Ministry of Home Affairs, New Delhi, vide their order No. 14020/1/2000-UTS dated 20-10-2000 the Governor of Goa is pleased to appoint Shri Arvind Ray, IAS (ADMU: 84) as Secretary (General Administration) with immediate effect.

Shri Arvind Ray reported to this Government on 10-01-2001 (F.N.) and was awaiting posting.

By order and in the name of the Governor of Goa.

D. C. Sahoo, Joint Secretary (Personnel).

Panaji, 15th January, 2001.

Order

No. 6/3/81-PER (Vol. VIII)

Shri Yetindra Maralkar, Deputy Collector & S. D. O., Bicholim shall hold the charge of the post of Administrator of Comunidades, North Zone, Mapusa in addition to his own duties with effect from i.e. 16-01-2001 (A. N.)

This is in supersession of earlier order of even number dated 02-01-2001.

By order and in the name of the Governor of Goa.

D. M. Borkar, Under Secretary (Personnel).

Panaji, 16th January, 2001.

Notification

No. 7/6/99-PER

The Governor of Goa is pleased to order that the allocation of Work/Departments amongst the

Secretaries shall be as follows with immediate effect:-

Sr. No.	Name and designation of the Officer	Department
1.	2.	3.
1.	Shri Ashoke Nath, Chief Secretary.	Home, Personnel, Administrative Reforms, Environment, Chief Vigilance Officer, Tourism.
2.	Shri Ashok Kumar, Development Commissioner.	Finance, Planning, Health, Power, Pavedoria, Animal Husbandry & Veterinary Services, Fisheries, Elections & Chief Electoral Officer.
3.	Ms. Archana Arora, Commissioner & Secretary.	Revenue, Protocol, Archives, Archaeology & Museum, Art & Culture, P. W. D., Science & Technology, Inland Water Transport.
4.	Shri Jalaj Shrivastava, Secretary to Governor.	Information Technology, Airport.
5.	Shri Arvind Ray, Secretary.	Education, General Administration Department, Vigilance, Mines, Agriculture, Industries.
6.	Shri A. Venkataratnam, Secretary.	Irrigation, Forests, Urban Development, Town & Country Planning.
7.	Shri C. V. S. Rama Rao, Secretary.	Factories & Boilers, Official Languages & Public Grievances, Printing & Stationery, Information & Publicity, Rural Dev. Agency.
8.	Shri R. Raghuraman, Secretary.	Labour & Employment, Sports & Youths Affairs, Civil Supplies, Transport.
9.	Smt. Rinku Khirwar, Secretary.	Social Welfare, Women & Child Development, Housing & Housing Board, Weights & Measures, Co-operation, Panchayati Raj and Community Development.
10.	Shri V. P. Shetye, Secretary.	Law, Judiciary, Legislative Affairs.

This is issued in supersession of all earlier Notifications.

By order and in the name of the Governor of Goa.

D. C. Sahoo, Joint Secretary (Personnel).

Panaji, 15th January, 2001.

Department of Planning

Directorate of Planning, Statistics & Evaluation

Order

No. 4-8-78/PLG/DPSE(Part file)/4367

Shri A. E. D'Costa, Statistical Officer, Group 'B' Gazetted Officer from Common Statistical Cadre, presently working in the Directorate of Planning, Statistics & Evaluation, Panaji, is hereby transferred and posted in the Directorate of Animal Husbandry & Veterinary Services, Panaji, with immediate effect against the vacancy caused due to retirement on superannuation of Shri J. R. Rege, Statistical Officer.

By order and in the name of the Governor of Goa.

P. S. Natarajan, Director & Ex-Officio Jt. Secretary (Planning).

Panaji, 16th January, 2001.

Notification

No. DPSE/III/PB-M/80-XII/2000

The Government of Goa is pleased to re-constitute the Planning Board of Goa with immediate effect as under:

- | | |
|----------------------------------|--------------|
| 1. Chief Minister. | Chairman |
| 2. Shri Vishwas Satarkar, M.L.A. | Dy. Chairman |

Official Members

- | | |
|--|--------|
| 1. Chief Secretary. | Member |
| 2. Development Commissioner. | Member |
| 3. Commissioner & Secretary (Finance). | Member |
| 4. Secretary (Law). | Member |
| 5. Secretary (Urban Development). | Member |
| 6. Secretary (Education). | Member |

Non-Official Members

- | | |
|--|--------|
| 1. Shri Francisco Sardinha,
Leader of Opposition. | Member |
| 2. Shri Vinay Tendulkar,
M.L.A., Sanvordem, Goa. | Member |
| 3. Shri Alban Couto,
6-Citadel, 1-A, Cenotaph,
2nd Lane Chennai-600 018. | Member |
| 4. Dr. R. Mashelkar,
Director General, CSIR,
New Delhi. | Member |
| 5. Gen. (Retd.) Sunit F. Rodrigues,
81-Defence Colony,
Porvorim, Bardez-Goa. | Member |

- | | |
|---|----------------------|
| 6. Prof. Anil Padoshi,
Professor of Economics,
Mapusa, Bardez-Goa. | Member |
| 7. Dr. Pramod Pathak,
Anand Nagar, Pune. | Member |
| 8. Shri Rajkumar Zhanzi,
Margao, Goa. | Member |
| 9. Shri L. U. Joshi,
3-C, Shantivan, Society,
Ground Floor,
Sant Janabai, Road,
Vile Parle (East),
Mumbai 400 057. | Member |
| 10. Shri Manguesh Prabhu Gaonkar,
Architect,
Porvorim, Bardez-Goa. | Member |
| 11. Vice-Chancellor, Goa University,
Taleigao Plateau, Goa. | Member |
| 12. President, Goa Chamber of
Commerce & Industry
Panaji, -Goa. | Member |
| 13. Prof. M. S. Kamat,
Flat No. 1, 2nd Floor,
Joshi (Shrinivas) Bldg.,
F. L. Gomes Road,
Vasco-da-Gama, Goa. | Member |
| 14. Shri Ramesh Pankar,
Mapusa, Bardez-Goa. | Member |
| 15. Prof. Datta B. Naik,
Porvorim, Bardez-Goa. | Member |
| 16. Mr. Ashish Karmali,
Curchorem, Goa. | Member |
| 17. Prof. Haji Sheikh,
Retd. Hindi Professor,
Chowgule College, Margao-Goa. | Member |
| 18. Director,
Directorate of Planning,
Statistics and Evaluation,
Panaji-Goa. | Member
Secretary. |

2. The powers, functions and responsibilities of the Planning Board will be as follows:

- * To advise the Government on macro-economic policies best suited for this State.
- * To advise the Government on various matters relating to the formulation, implementation and evaluation of various development plans including sub-plans like the Special Component Plan, the Prime Minister's Gramodaya Yojana and the Western Ghats Development Programme.
- * To appoint Sub-Committees to go into details of any particular problem or matter, which may be considered necessary for its functioning.
- * To call for information from any Government Department to undertake inspections/visits of

development projects, to hold discussions and seek clarifications from the Secretaries/Heads of Departments in regard to the matters concerning the Planning and Development of the State.

To undertake directly or through Government Departments research and evaluation studies in specific fields of socio-economic development.

3. The Planning Board will meet at least twice a year but more often, if necessary. The meetings may take place at Panaji or any other convenient place in the State of Goa.

4. The Deputy Chairman of the Planning Board shall be given Cabinet rank and status.

5. The non-official members will be permitted to draw airfare (both ways) for attending the Board meetings or any other jobs specifically assigned to them by the Board. While in Goa, the outstation members (whose normal place of residence is outside Goa) will be treated as State Guests. Each non-official member will be paid a sitting fee of Rs. 200/- per day for attending the Board meetings or for attending to any other work specifically assigned by the Board.

6. The Director of Planning, Statistics and Evaluation will be the Drawing and Disbursing Officer for the purpose of the Planning Board and will be responsible for timely defray of all expenses including T. A. etc. of the Members of the Board.

7. This Notification supersedes the previous Notification No. DPSE/III/PB-M/80-XII/99 dated February 22, 2000.

By order and in the name of the Governor of Goa.

P. S. Natarajan, Director & Ex-Officio Jt. Secretary (Planning).

Panaji, 15th December, 2000.

Department of Power

Office of the Chief Electrical Engineer

Order

No. CEE/Estt-31-25-88(GPSC)/3673

Read: Govt. Order No. CEE/Estt.-31-25-88 (GPSC)/903 dated 19-06-2000.

The Government is pleased to extend the Ad-hoc promotion of Shri A. V. Faldessai to the post of Superintending Engineer (Elect) in the Electricity Department ordered vide Govt. Order referred above

for a further period w.e.f. 19-12-2000 to 1-1-2001 (F.N.) on the same terms and conditions as stipulated in the aforesaid order.

By order and in the name of the Governor of Goa.

R. A. Ghali, Chief Electrical Engineer & Ex-Officio Addl. Secretary.

Panaji, 11th January, 2001.

Department of Public Health

Order

No. 2/24/98-II/PHD/189

Read: Government Orders No. 2/24/98-II/PHD dt. 31/3/1998. GPSC No. COM/I/5/30/(20)/89 dated 14/1/1998.

2. No. 2/35/98-II/PHD dt. 27/5/1998 GPSC No. COM/I/5/30(25)/89 dated 6/4/98.

3. No. 2/22/97-II/PHD dt. 28/1/1998 GPSC No. COM/I/5/30(1)/93 dt. 15/10/1997.

4. No. 2/27/98-II/PHD dt. 13/5/1998 GPSC No. COM/I/5/30(8)/89 dt. 3/3/1998.

5. No. 2/30/98-II/PHD/111 dt. 9/7/1998 GPSC No. COM/I/5/30(7)/89 dt. 15/5/1998.

Government is pleased to declare following doctors in Goa Medical College have completed satisfactorily their probation period of two years.

The name, post held, and period of probation is given below:-

Sr. No.	Name of Doctor	Post held	Period of probation
1.	2.	3.	4.
1.	Dr. Valentine Gerald Almeida.	Lecturer in Radiotherapy	1-4-98 to 31-3-2000.
2.	Dr. Shireley Ann D'Souza.	Lecturer in Anesthesiology.	13-7-98 to 12-7-2000.
3.	Dr. Sanjay P. Korgaonkar.	Medical Officer (Blood Bank)	17-2-98 to 16-2-2000.
4.	Dr. Sunita B. De Sa.	Assistant Lecturer Pharmacology.	14-5-98 to 13-5-2000.
5.	Dr. Manisha G. Audi.	Assistant Lecturer in Biochemistry.	13-7-98 to 12-7-2000.

By order and in the name of the Governor of Goa.

N. D. Agrawal, Joint Secretary (Health).

Panaji, 9th January, 2001.

Order

No. 5-01-80-I/PHD

Whereas a case against Dr. Rajendra R. Sakhardande, Health Officer, Primary Health Centre, Bicholim under the Directorate of Health Services in respect of criminal offence is under investigation and a disciplinary proceeding is contemplated against him.

Now, therefore, the Governor of Goa, in exercise of the powers conferred by sub-rule (1) of Rule 10 of the Central Civil Service (Classification, Control and Appeal) Rules, 1965 hereby places the said Dr. Rajendra R. Sakhardande, Health Officer, Primary Health Centre, Bicholim under the Directorate of Health Services under suspension with immediate effect.

It is further ordered, that during the period that this order shall remain in force, the headquarters of Dr. Rajendra R. Sakhardande, Health Officer should be at the Directorate of Health Services, Panaji and the said Dr. Rajendra R. Sakhardande shall not leave the headquarters without obtaining the previous permission of the Government.

By order and in the name of the Governor of Goa.

N. D. Agrawal, Joint Secretary (Health).

Panaji, 12th January, 2001.

order

No. 4/4/2000-II/PHD/230

Government is pleased to appoint Dr. Caraciolo Chicot Jose V. Vas, Neurologist, Bandra, Mumbai, on contract basis as consultant Neurologist in Goa Medical College on a consolidated monthly salary of Rs. 24,000/- (Rupees Twenty four thousand only) with effect from 1-3-2001.

His appointment shall be initially for a period of one year.

The other term and condition of his appointment shall be as incorporated in the agreement dated 29-12-2000.

His salary shall be drawn from the vacant post of professor of Radiotherapy until further orders.

This issues with the concurrence of Personnel Department vide their U. O. No. PER/9897/2000 dated 14-12-2000.

By order and in the name of the Governor of Goa.

N. D. Agrawal, Joint Secretary (Health).

Panaji, 17th January, 2001.

Department of Revenue

Order

No. 26/1/2000-RD(3015).

On the recommendation of the Goa Public Service Commission vide their letter No. COM/II/11(2)/92 dated 3-11-2000, the Government of Goa is pleased to promote on regular basis the following Supervisors of the Directorate of Settlement and Land Records, Panaji, to the posts of the Inspector of Survey and Land Records (Group 'B' Gazetted) in the pay scale of Rs. 5500-150-9000 with immediate effect and post them against the posts shown in column 3:-

Sr. No.	Name of the Officer and present posting	Posted on promotion as
1.	2.	3.
1.	Shri R. C. Naik, Supervisor, Directorate of Settlement and Land Records, Panaji.	Inspector of Survey and Land Records, Margao, vice Shri Luis R. Alphonso transferred.
2.	Shri V. Vee Raju, Supervisor, Directorate of Settlement and Land Records, Panaji.	Inspector of Survey and Land Records, Vasco, vice Shri S. R. Govekar transferred.

They shall be on probation for a period of two years from the date of their regular promotion.

Consequent upon the above promotions and postings of Inspector of Survey and Land Records, the following Inspectors of Survey and Land Records are transferred and posted against the posts shown in column No. 3 with immediate effect:-

Sr. No.	Name of the Officer and present posting	Posted on transfer
1.	2.	3.
1.	Shri Luis R. Alphonso.	Inspector of Survey and Land Records, Panaji.
2.	Shri S. R. Govekar, ISLR, Vasco.	Assistant Survey and Settlement Officer, Panaji.

Shri R. C. Naik shall also hold additional charge of the post of the Inspector of Survey and Land Records (City Survey), Margao in addition to his own duties. Shri Luis R. Alphonso shall also hold additional charge of Inspector of Survey and Land Records (Records of Rights), Panaji, in addition to his own duties.

By order and in the name of the Governor of Goa.

Sanjiv M. Gadkar, Under Secretary (Revenue).

Panaji, 10th January, 2001.

Order

No. 18/1/93-RD

Read: Order No. 6/3/81-PER (Vol. VIII) dated 16-1-2001 issued by the Personnel Department, giving charge of the post of Administrator of Comunidades of North Zone, Mapusa, to Shri Yetindra Maralkar, Deputy Collector & S. D. O., Bicholim, in addition to his own duties.

In exercise of the powers conferred by Article 118 of the Legislative Diploma No. 2070, dated 15-4-1961, the Government of Goa is pleased to appoint Shri Yetindra Maralkar, Dy. Collector & S. D. O., Bicholim, to the post of Administrator of Comunidades of North Zone, Mapusa with effect from 16-1-2001, in addition to his own duties, until further orders.

Sanjiv M. Gadkar, Under Secretary (Revenue).

Panaji, 17th January, 2001.

Notification

No. 22/20/99-RD

Whereas it appears to the Government of Goa (hereinafter referred to as "the Government") that the land specified in the Schedule hereto (hereinafter referred to as the "said land") is likely to be needed for public purpose viz. Improvement of road to Nagali and Amona to Chaiffi in V. P. Avedem Cottombi in Quepem Taluka.

Now, therefore, the Government hereby notifies, under sub-section (1) of section 4 of the land Acquisition Act, 1894 (Central Act 1 of 1894) (hereinafter referred to as the "said Act") that the said land is likely to be needed for the purpose specified above.

2. All persons interested in the said land are hereby warned not to obstruct or interfere with any surveyor or other persons employed upon the said land for the purpose of the said acquisition. Any contract for the disposal of the said land by sale, lease, mortgage, assignment, exchange or otherwise, or any outlay commenced or improvements made thereon without the sanction of the Collector appointed under paragraph 4 below, after the date of the publication of this Notification, will under clause (seventh) of section 24 of the said Act, be disregarded by him while assessing compensation for such parts of the said land as may be finally acquired.

3. If the Government is satisfied that the said land is needed for the aforesaid purpose, a declaration to that

effect under Section 6 of the said Act will be published in the Official Gazette and in two daily newspapers and public notice thereof shall be given in due course. If the acquisition is abandoned wholly or in part, the fact will also be notified in the same manner.

4. The Government further appoints, under clause (c) of section 3 of the said Act, the Deputy Collector/S.D.O., Quepem, to perform the functions of a Collector under the said Act in respect of the said land.

5. The Government also authorises under sub-section (2) of section 4 of the said Act, the following Officers to do the Acts, specified therein in respect of the said land.

1. The Collector, South Goa District, Margao.
2. The Deputy Collector/S.D.O., Quepem.
3. The Executive Engineer, Division XXV(R), P.W.D., Fatorda, Margao.
4. The Director of Settlement & Land Records, Panaji-Goa.

6. A rough plan of the said land is available for inspection in the Office of the Deputy Collector/S.D.O., Quepem, for a period of 30 days from the date of publication of this notification in the Official Gazette.

SCHEDULE

(Description of the said land)

Taluka: Quepem**Village: Chaiffi**

Survey No./ Sub-Div. No.	Names of the persons believed to be interested	Approx. area in sq. mts.
1.	2.	3.
1/1 part O:	Shri Kushawati Vasant Shirvoikar.	775
1/2 part O:	Public.	750
17/14 part O:	Maria Mena Gracias.	200
17/4 part O:	Domingo Fernandes. Pedco D. Fernandes. T: Xavier Telis. Joaquim Rocha.	150
18/1 part O:	Maria Cruz Mena Fernandes.	2000
18/3 part O:	Public.	100
18/4 part O:	Janu Kamat.	175
18/5 part O:	Isaque Fernandes. Anacleto Fernandes. Minguil Anthon Fernandes.	125
15/37 part O:	Branho Pereira. T: Joaquinno Rodriguish.	200
Amona		
39/15 part O:	Shri Dev Chandrashwar Bhuthnath. T: Savalo Poku Fergent.	225
39/4 part O:	Shri Dev Chandrashwar Bhuthnath. T: Jochino Fernandes.	175

1.	2.	3.
39/2 part O: Shri Dev Chandrashwar Bhuthnath. T: Shankar Pandu Gaonkar.		100
39/1 part O: Shri Dev Chandrashwar Bhuthnath. T: Sanvale Fergent. Joshina Fernandes.		250
39/18 part O: Shri Dev Chandrashwar Bhuthnath.		150
2/4 part O: Diago Fernandes.		100
3/229 part O: Shri Dev Chandrashwar Bhuthnath. T: Shri Joshina Fernandes.		50
3/222 part O: Shri Dev Chandrashwar Bhuthnath. T: Floreina Fernandes.		75
3/223 part O: Shri Dev Chandrashwar Bhuthnath. T: Minguel Fernandes.		75
3/220 part O: Shri Dev Chandrashwar Bhuthnath. T: Joshino Fernandes.		25
3/215 part O: Shri Dev Chandrashwar Bhuthnath. T: Vasudev Fergent. Anacleto Fernandes.		75
3/216 part O: Shri Dev Chandrashwar Bhuthnath. T: Anacleto Fernandes.		50
3/217 part O: Shri Dev Chandrashwar Bhuthnath. T: Babai Pandu Gaonkar.		50
3/218 part O: Shri Dev Chandrashwar Bhuthnath. T: Anacleto Fernandes.		25
3/230 part O: Shri Dev Chandrashwar Bhuthnath. T: Vasudev Fordut.		25
<i>Boundaries:</i>		
Chaffi		
North: Road S. No. 15/37. South: S. No. 18/1, 3, S. No. 1/1. East: S. No. 18/1, 4, S. No. 15/37. West: S. No. 1/1 & 17/14, 4.		
Amona		
North: Road S. No. 3/216, 217, 218, 230 & 39/18. South: S. No. 2/3, 40/1, 39/1 & 39/18. East: S. No. 39/18, 1, 2, 4, 15. West: S. No. 2/4, 3/229, 222, 223, 220, 215, 216.		
		Total: 5,925

By order and in the name of the Governor of Goa.

D. M. Borkar, Under Secretary (Revenue).

Panaji, 9th December, 1999.

Notification

No. 22/72/97-RD

Whereas by Government Notification No. 22/72/97-RD dated 26-05-1999 published on page 240, Series II, No. 13, of the Official Gazette dated 24-06-1999 and in two Newspapers (i) Herald dated 23-06-1999 and (ii) Navprabha dated 30-06-1999, it was notified under Section 6 of the Land Acquisition Act, 1894 (hereinafter referred to as the "said Act") that the land specified in the Schedule appended to the said Notification (hereinafter referred to as the "said land"), was needed for the public purpose viz. for construction of road at Talaulim, Tiswadi, Goa.

And whereas, in the opinion of the Government of Goa (hereinafter referred to as the "Government") the said land is not required for the aforesaid purpose.

Now, therefore, the Government is pleased to declare under sub-section (1) of Section 48 of the said Act that it has withdrawn from acquisition of the said land for the aforesaid public purpose and that the aforesaid Government Notification shall be deemed to be cancelled so far as it relates to the said land. The persons interested in the said land, may lodge to the Deputy Collector (LA), Collectorate of North Goa, Panaji within a period of thirty days from the date of this Notification claims under Sub-Section (2) of Section 48 of the said Act, for the damages suffered by them in consequence of the notice or of any proceedings thereunder and for costs reasonably incurred by them in prosecution of the proceedings under the said Act relating to the said land.

A plan of the land, shall be available for inspection in the office of the Deputy Collector (L.A.) Collectorate, of North Goa, Panaji, Goa for a period of thirty days from the date of this Notification.

By order and in the name of the Governor of Goa.

Sanjiv M. Gadkar, Under Secretary (Revenue).

Panaji, 4th January, 2001.

Notification

No. 22/1/99-RD

Whereas by Government Notification No. 22/1/99-RD dated 3-11-1999 published on page 563-564 of Series II, No. 35 of the Official Gazette, dated 25-11-99 and in two newspapers (1) Tarun Bharat dated 15-11-1999 (2) Gomantak Times (Weekender) dated 14-11-1999 it was notified under section 4 of the Land Acquisition Act, 1894 (Central Act 1 of 1894) (hereinafter referred to as "the said Act") that the land specified in

the Schedule appended to the said Notification was likely to be needed for the public purpose viz. for improvement of Kapileshwari Nallah from Varkhand to Kavale in Ponda Taluka.

And whereas, the Government of Goa (hereinafter referred to as "the Government") after considering the report made under sub-section (2) of section 5A of the said Act is satisfied that the land specified in the Schedule hereto is needed for the public purpose specified above (hereinafter referred to "the said land").

Now, therefore, the Government hereby declares, under section 6 of the said Act that the said land is required for the public purpose specified above.

2. The Government also appoints, under clause (c) of section 3 of the said Act, the Special Land Acquisition Officer (North), Irrigation Department, Morod, Mapusa-Goa to perform the functions of a Collector for all proceedings hereinafter to be taken in respect of the said land, and directs him under section 7 of the said Act to take order for the acquisition of the said land.

3. A plan of the said land can be inspected at the Office of the said Special Land Acquisition Officer (North), Irrigation Department, Morod, Mapusa-Goa, till the award is made under section 11.

SCHEDULE

(Description of the said land)

Taluka: Ponda		Village: Ponda
Survey No./ Sub-Div. No.	Names of the persons believed to be interested	Appx. area in sq. mts.
1.	2.	3.
26/16 part	O: Harichandra Pandhari Naik. T: Gangavati Gangaram Naik.	10
26/17 part	O: Harichandra Pandhari Naik. T: Shanbu Nilu Naik.	85
27/2 part	O: Ramchandra Bascora Suria Rao Desai.	625
27/3 part	O: Ramchandra Bascora Suria Desai.	25
29/15 part	Survey record not available.	10
29/14 part	O: Pandharinath Naik Haldankar.	25
28/1 part	O: Naguesh Yadu Gaude.	2625
28/2 part	O: Kazi Mohammed Pirsab Khazi. Mohamad Kadir Sab. T: Balchandra Babai Naik.	440
29/13 part	O: Laxmi Naguesh Naik.	60
31/8 part	O: Ramchandra Shridhar Naik Gaunekar.	275
32/0 part	O: Ramchandra Shridhar Naik Gaunekar.	470
42/1. part	O: Anand Manguesh Sinai Kaisare. Balkrishna Mangesh Sinai Kaisare.	150

1.	2.	3.
41/1 part	O: Anand Manguesh Sinai Kaisare. Balkrishna Mangesh Sinai Kaisare. Surya Vinayak Kaisare. Dilip Vinayak Kaisare. Narayan Ramkrishna Kaisare. Ram Keshav Shilkar.	15
41/5 part	O: Dilip Vinayak Kaisare. Surya Vinayak Kaisare.	15
40/2 part	O: Kazi Mohamad Pirsab. Kazi Mohamad Kadir Sab.	15
40/1 part	O: Surangribai Nageshkar.	15
39/1 part	O: Maria Philomina Francisco. C/o Maras Sequira C. Almeida.	425
33/1 part	O: Krishna J. Kamat.	320
19/1 part	O: Laximan Vaikhunt Sinai Singabal.	100
18/7 part	O: Ramchandra Vinayak Bhat Sariotish.	250
18/5 part	O: Piedade Fernandes. Inex Fernandes. Domingos Fernandes. Maria Grigida Fernandes. Antonio Anacleto Bela Fernandes.	90
18/6 part	O: Piedade Fernandes. Inex Fernandes. Domingos Fernandes. Maria Grigida Fernandes. Antonio Anacleto Bela Fernandes.	10
18/4 part	O: Maria Magda Lina A, Laid Albuquerque.	110
18/3 part	O: Kanta Shankar Sawant.	10
18/2 part	O: Kanta Shankar Sawant.	90
18/1 part	O: Raguvir Venkatesh Kurtarkar.	115
12/7 part	O: Vishnu Rajaram Sinai Khandeparkar.	70
8/3 part	O: Krishnatha Shankar Sawant.	60
8/4 part	O: Ravalnath Shankar Sawant.	20
8/15 part	O: Ravalnath Shankar Sawant. Gajanan Shankar Sawant. Krishnath Shankar Sawant.	200
11/58 part	O: Shaik Mohamad Babar.	550
11/58 part	O: Shaik Mohamad Babar. T: Nana Mahadev Naik.	35
11/53 part	O: Shaik Mohamad Babar. T: Surya Mahadev Naik.	25
11/52 part	O: Shaik Mohamad Babar. T: Surya Mahadev Naik.	10
11/16 part	O: Shaik Mohamad Babar. T: Manu Mahadev Naik.	10
11/45 part	O: Shaik Mohamad Babar. T: Surya Mahadev Naik.	10
11/44 part	O: Shaik Mohamad Babar. T: Surya Mahadev Naik.	10
11/42 part	O: Shaik Mohamad Babar. T: Yadu Vishnu Naik.	10

1.	2.	3.
11/41 part O: Shaik Mohamad Babar. T: Nano Mahadev Naik.		10.
<i>Boundaries</i>		
North: Nala.		
South: Nala.		
East: S. No. 42/1, 41/1, 5, 40/1, 2, 39/1, 33/1, 8/3, 4, 15, 11/58, 52 to 57, 44, 45, 46, 41 & 42.		
West: S. No. 26/12, 17, 2, 27/1, 3, 15, 14, 28/1, 2, 29/3, 31/8, 30/0, 19/8, 7, 18/1 to 7 and 12/7.		
		Total: 7400

By order and in the name of the Governor of Goa.

Sanjiv M. Gadkar, Under Secretary (Revenue).

Panaji, 17th January, 2001.

◆◆◆

Department of Transport

Office of the Director of Transport

Order

No. 4/12/80-HD(G)/PF/70

Read: Order No. 4/12/80-HD(G)/PF-/876 dt. 18-5-2000

In pursuance of Article 68 read with Article 78 of the Articles of Association of the Kadamba Transport Corporation Ltd., and in supersession of Government

Order No. 4/12/80-HD(G)/876 dated 18-5-2000, the Government is pleased to appoint following persons as Directors of Kadamba Transport Corporation Ltd., (hereinafter referred to as the Corporation) with immediate effect. They shall accordingly constitute the Board of Directors of the Kadamba Transport Corporation Ltd.:-

- | | |
|---|------------|
| 1. Shri Venkatesh A. Dessai, MLA Valpoi. | — Director |
| 2. Shri Gopi alias Gopal Naik,
Satismo, Taleigao. | — Director |
| 3. Shri Shaikh Kassim, Keri, Satari. | — Director |
| 4. Shri Oscar D'Souza, Camarcazan,
Mapusa. | — Director |
| 5. Shri Sheikh Kamrudin, Valpoi,
Satari. | — Director |
| 6. Shri Naresh A. Kadkade,
Bhitulipeth, Bicholim. | — Director |
| 7. Shri Pratap Phadte. | — Director |
| 8. Shri Dayanand Sopte, Pernem. | — Director |
| 9. Shri Manodai Phadte, Sanguem. | — Director |
| 10. Shri Joaquim Fernandes,
Representative of Employees. | — Director |
| 11. Director of Transport, Panaji. | — Director |
| 12. Managing Director, K.T.C. | — Director |

The Government is further pleased to appoint Shri Venkatesh A. Dessai, MLA, Valpoi as the Chairman of the Board of Directors of Kadamba Transport Corporation Ltd.,

By order and in the name of the Governor of Goa.

W. V. Ramana Murthy, Director of Transport & Ex-Officio Joint Secretary(TPT).

Panaji, 9th January, 2001.